

CS SB 682 -- LAND ACQUISITIONS

SPONSOR: Cunningham

COMMITTEE ACTION: Voted "Do Pass with Amendments" by the Standing Committee on Government Efficiency by a vote of 8 to 2. Voted "Do Pass with HCS" by the Select Committee on General Laws by a vote of 6 to 3.

This bill provides that when the Commissioner of Administration seeks to purchase land on behalf of any state department, the department is required to take certain actions, including providing public notice on its website and to elected officials, and holding public hearings in affected counties. The state department also is required to provide public notice in a newspaper as specified in the bill.

The bill creates the Land Reclamation Legal Settlement Commission to be composed of four members from three regional planning commissions. The Commission shall develop and implement a plan for primary restoration projects for areas affected by lead mining in southeast Missouri. Further, this bill creates the Land Reclamation Legal Settlement Fund which shall consist of moneys derived from the Department of Natural Resources sale of land located in Oregon County. Such moneys shall be used to implement the Land Reclamation Legal Settlement Commission's plan for primary restoration projects.

This bill requires the Department of Natural Resources and all other state departments, agencies, or entities to sell at public auction any property interest to land in Oregon County purchased on or before August 28, 2016 through legal settlement funds administered by the Department of Natural Resources. If there is no purchaser, the property will revert to the ownership of Oregon County government. Any condition, restrictions, dedication, covenant, or other encumbrance conveyed with the property is null and void and a new covenant appurtenant is included in the land conveyance stating that the land can not be sold to, leased, or otherwise controlled by a state or federal agency. The bill specifies how the proceeds of the sale must be used.

After August 28, 2016, the bill also prohibits the department and all other state departments, agencies, or entities from purchasing property interests in Oregon County. Any taxpayer in the state has standing to enforce these requirements and will be entitled to reasonable attorney's fees.

This section expires on August 28, 2017.

There is an emergency clause for the provisions regarding property in Oregon County and the Land Reclamation Legal Settlement Commission and Trust Fund.

PROPONENTS: Supporters say that transparency is needed in these types of transactions.

Testifying for the bill were Senator Cunningham and Missouri Farm Bureau.

OPPONENTS: There was no opposition voiced to the committee.